

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE: NATIONAL PRESCRIPTION OPIATE LITIGATION)	MDL 2804
)	
)	
)	Case No. 1:17-md-2804
THIS DOCUMENT RELATES TO:)	
)	Judge Dan Aaron Polster
<i>Applies to All MDL Cases</i>)	
)	

HIKMA PHARMACEUTICALS USA INC.'S STATUS REPORT

At the June 23, 2022 status conference, the Court ordered each of the parties to submit a status report in advance of the upcoming status conference on September 23, 2022.

Between June 23 and the present, Hikma and the Plaintiffs' Executive Committee ("PEC"):

- Set up and participated in a telephonic meet-and-confer on July 27 to discuss, *inter alia*, a cooperative exchange of information and potential further conversations about ways to discuss various resolution frameworks.
- Since July 27, Hikma and the PEC have focused on setting up the information exchange process, including a memorandum of understanding to govern the confidentiality of the information exchanged, and the scope of the information Hikma and the PEC would each exchange with one another.
- Hikma and the PEC recently began the process of exchanging substantive information that will facilitate further discussions. This exchange includes information showing that Hikma's market share for potentially relevant opioids in the vast majority of cases is *de minimis*, as discussed in Hikma's Status Report submitted in advance of the June 22, 2022 status conference. (Dkt. 4529).

Hikma's preference regarding the Court's assistance in settlement negotiations and bellwether trials remains the same as was expressed in Hikma's previous report. Given the progress to date, Hikma would prefer to continue moving forward with productive discussions with the PEC. Adding bellwethers to the current fulsome docket of litigation would overwhelm a party the size of Hikma and potentially undermine settlement efforts.

Hikma requests that the Court set another status conference in 90 days for a further update.

Dated: September 21, 2022

Respectfully submitted,

By: s/ Christopher B. Essig
Christopher B. Essig
Scott M. Ahmad
Reid F. Smith
WINSTON & STRAWN LLP
35 W. Wacker Drive
Chicago, IL 60601
Phone: (312) 558-5600
cessig@winston.com
sahmad@winston.com
rfsmith@winston.com

Charles B. Klein
Matthew M. Saxon
Winston & Strawn LLP
1901 L Street NW
Washington, D.C. 20036
Phone: (202) 282-5000
cklein@winston.com
msaxon@winston.com

*Attorneys for Defendant
Hikma Pharmaceuticals USA Inc.,
f/k/a West-Ward Pharmaceuticals Corp.*

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing instrument was served via the Court's electronic filing system on all counsel of record on September 21, 2022.

s/ Christopher B. Essig
Christopher B. Essig